

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VIRGINIA SARDIS,

Plaintiff,

23 Civ. 8590 (PAE)

-v-

ORDER

GATEWAY SERVICES INC.
& RICHARD D. DUHAIME,

Defendants.

PAUL A. ENGELMAYER, District Judge:

On October 3, 2023, the Court issued an order scheduling a telephonic Initial Pretrial Conference for November 7, 2023 at 10:30 a.m., directing the removing defendants, Gateway Services Inc. and Richard Duhaime, to serve a copy of the order on the plaintiff, and directing removing defendants to submit a letter with relevant information about the removal. *See* Dkt. 3. The Court also directed that, after plaintiff Virginia Sardis was served with the order, the parties' counsel confer and submit a Civil Case Management Plan and a joint letter. *See* Dkt. 3. The removing defendants in this case have not followed any of the Court's directives in its October 3, 2023 Order, nor offered any explanation for their failure to comply with the Court's Order.


The Court ORDERS the defendants to follow the directives of the Court's October 3, 2023 Order. *See* Dkt. 3. This includes:

- (1) Serving a copy of the October 3, 2023 Order on the plaintiff and filing proof of such service with the Court;
- (2) Serving on the plaintiff and submitting to the Court a letter, filed on ECF no later than **November 6, 2023**, providing the following information:

- a) Whether all defendants who had been served at the time of removal joined in the notice of removal.
 - b) Whether the notice of removal was dated more than 30 days after the first defendant was served.
 - c) If the action has been removed on the grounds of diversity jurisdiction, the citizenship of all named plaintiffs and all named defendants (including the citizenship of all members or partners in any non-corporate entity), if such states of citizenship were not set forth in the notice of removal.
- (3) Once plaintiff is served, counsel for both parties are further directed to submit to the Court **two business days before the date of the initial pretrial conference**, a joint letter, not to exceed three single-spaced pages in length addressing the following topics in separate paragraphs: a) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s); b) any contemplated motions; and c) the prospect for settlement. Counsel are further directed to prepare a Civil Case Management Plan and Scheduling Order in accordance with the Court's Individual Rules, to be submitted to the Court no later than **two business days before the date of the initial pretrial conference**.

The telephonic Initial Pretrial Conference originally scheduled for November 7, 2023 at 10:30 a.m. is hereby moved to **November 9, 2023 at 10:30 a.m.** The Court further ORDERS the defendants submit a letter to the Court by **November 6, 2023**, explaining why they failed to serve the Order within the 14-day period or, more generally, to abide by the Court's October 2, 2023 Order.

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge

Dated: November 2, 2023
New York, New York